

1
2
3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 SAMUEL K. MCDONOUGH,

8 Plaintiff,

9 v.

10 ROBIN SMITH, et al.,

11 Defendants.

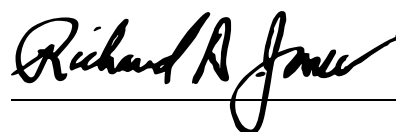
Case No. C19-1248-RAJ

ORDER OF DISMISSAL

12 The Court, having reviewed the Report and Recommendation of United States Magistrate
13 Judge Brian A. Tsuchida, and the remaining record, does hereby **ORDER**:

- 14 (1) The Court adopts the Report and Recommendation;
- 15 (2) Plaintiff's claims with respect to inadequate medical care related to his tooth and
16 contamination of the food, water, and coffee at MCC-SOU, are **DISMISSED**
17 **with prejudice for failure to state a claim**;
- 18 (3) Plaintiff's claims with respect to his "false imprisonment" are **DISMISSED**
19 **without prejudice** pursuant to *Heck v. Humphrey*, 512 U.S. 477, 483-87 (1994);
- 20 (3) The Clerk of the Court is directed to close this case;
- 21 (4) The Clerk of Court is directed to send copies of this Order to plaintiff and to
22 Judge Tsuchida.

23 DATED this 5th day of November, 2019.



The Honorable Richard A. Jones
United States District Judge